

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:17-CV-354-BO

BARBIE JUNE BAILEY
Plaintiff,

v.

NANCY BERRYHILL
Acting Commissioner of Social Security,
Defendant.

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ORDER

This matter is before the Court following plaintiff's failure to comply with an order by Magistrate Judge Gates. Plaintiff had originally filed deficient documents in her application to proceed in forma pauperis. Judge Gates' order directed her to correct those deficiencies by September 6th, 2017. That order warned that failure to meet that deadline could result in dismissal of her case. The order was mailed to the plaintiff's address on record, but was returned as undeliverable. Plaintiff has not filed a change of address or contacted the Court, and has not complied with the deadline set by Judge Gates.

Pro se litigants are traditionally entitled to a certain amount of leniency from the courts. *Erickson v. Pardus*, 551 U.S. 89 (2007) ("A document filed *pro se* is to be liberally construed, and a *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers." (internal quotation marks omitted)). That said, plaintiff has failed to properly proceed with her case or comply with the directions of the court, and her status does not free her from that responsibility. Because of this, this Court finds that the case should be DISMISSED WITHOUT PREJUDICE. Should plaintiff conform to the Federal Rules of Civil

Procedure and the Local Rules of Civil Procedure as to this matter in the future, she would be permitted to refile her suit. The clerk is directed to close the file and enter judgment accordingly.

SO ORDERED, this the 16 day of October, 2017.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE